

In Re Patent Application of:
DUBORGEL
 Serial No: 10/035,033
 Filing Date: December 28, 2001

REMARKS

Applicant thanks the Examiner for the careful and thorough examination of the present application. Claims 11-37 remain pending in the application. Favorable reconsideration is respectfully requested.

Enclosed herewith is a new oath or declaration in compliance with 37 CFR 1.67(a).

I. The Invention

As shown in FIGS. 2 and 3, for example, the disclosed invention is directed to a microarchitecture for an arithmetic unit including a carry save adder, followed by an adder, which, along with an accumulator, are extended to N+1 bits. A circuit for determining the output carry value associated with the result is also provided.

II. The Claims are Patentable

Claims 11-37 were rejected as allegedly being indefinite for the reasons set forth on page 2 of the Office Action. Applicant directs the Examiner to pages 1, 2, 8 and 10, for example, of the present specification which clearly describe the accumulator storing a result based upon a multiplication of two input operands plus the current contents of the accumulator. In practice, the current contents of the accumulator are transferred to an adder via a register. Since the new result stored in the accumulator is based upon the previous result stored in the accumulator, it is accurate to

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refer to such as an "accumulator" contrary to the Examiner's assertion of indefiniteness.

Applicants refer the Examiner to other U.S. Patents such as U.S. Pat. Nos. 6,735,611, 6,571,268 and/or 6,581,086 which include the use of similar accumulators and refer to such as accumulators.

Furthermore, Applicant points out that the Examiner's focus during examination of claims for compliance with the requirement for definiteness of 35 U.S.C. §112, second paragraph should be whether the claim meets the threshold requirements of clarity and precision, not whether more suitable language or modes of expression are available. Some latitude in the manner of expression and the aptness of terms should be permitted even though the claim language is not as precise as the Examiner might desire. Examiners should not reject claims or insist on their own preferences if other modes of expression selected by Applicant satisfy the statutory requirement.

As the Examiner is aware, the essential inquiry pertaining to this requirement is whether the claims set out and circumscribe a particular subject matter with a reasonable degree of clarity and particularity. Definiteness of claim language must be analyzed, not in a vacuum, but in light of: the content of the particular application disclosure; the teachings of the prior art; and the claim interpretation that would be given by one possessing the ordinary level of skill in the pertinent art at the time the invention was made. If the scope of the invention sought to be patented can be

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determined from the language of the claims with a reasonable degree of certainty, a rejection of the claims under 35 U.S.C. §112, second paragraph is not appropriate.


Accordingly, Applicant believes that Claims 11-37 meet the statutory requirements of 35 U.S.C. §112, second paragraph.

No art was cited against the claims. Accordingly, the claims are patentable.

III. Conclusion

In view of the foregoing remarks, it is respectfully submitted that the present application is in condition for allowance. An early notice thereof is earnestly solicited. If, after reviewing this Response, there are any remaining informalities which need to be resolved before the application can be passed to issue, the Examiner is invited and respectfully requested to contact the undersigned by telephone in order to resolve such informalities.

Respectfully submitted,

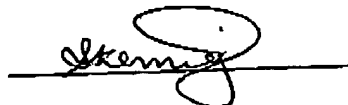


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CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY that the foregoing correspondence has been forwarded via facsimile number 703-872-9306 to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 this 24th day of January, 2005.

A handwritten signature in black ink, appearing to be "Skem", is written over a horizontal line.